



**Progress Energy**

October 21, 2011 COPY

Posted: lod

Dept: S.A.

Date: 10/24/11

Time: 3:30

The Honorable Jocelyn Boyd  
Chief Clerk/Administrator of the Commission  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, SC 29210

RECEIVED  
2011 OCT 24 PM 3:30  
SC PUBLIC SERVICE  
COMMISSION

**Re: Application of Duke Energy Corporation and Progress Energy, Inc. to  
Engage in a Business Combination Transaction  
South Carolina Public Service Commission Docket No. 2011-158-E**

Dear Mrs. Boyd:

Enclosed for filing please find Progress Energy Carolinas, Inc's Motion for Admission *pro hac vice* for Kendal C. Bowman along with Mrs. Bowman's Verified Application for Admission *pro hac vice* which we filed with the South Carolina Supreme Court today. By copy of this letter we are serving the same on the parties of record in this proceeding. Should you have any questions, please contact me.

Very truly yours,

Len S. Anthony  
General Counsel  
Progress Energy Carolinas, Inc.

RECEIVED

/jfc  
Enclosures

OCT 24 2011

c:/Enc: Nanette Edwards, Esquire (via email & U.S. Mail)  
Courtney Edwards, Esquire (via email & U.S. Mail)  
Kodwo Ghartey-Tagoe, Vice President-Legal (via email & U.S. Mail)  
Pablo O. Nuesch, Esquire (via U.S. Mail)  
James N. Norwood, Esquire (via U.S. Mail)  
Peter J. Hopkins, Esquire (via U.S. Mail)

PSG SC  
CLERK'S OFFICE

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 2011-158-E

RECEIVED  
2011 OCT 24 PM 3:30  
PUBLIC SERVICE  
COMMISSION

In Re:

Application of Duke Energy Corporation  
And Progress Energy, Inc. on Behalf of  
Their Electrical Utility Subsidiaries,  
Duke Energy Carolinas, LLC and  
Progress Energy Carolinas, Inc., to  
Engage in a Business Combination  
Transaction

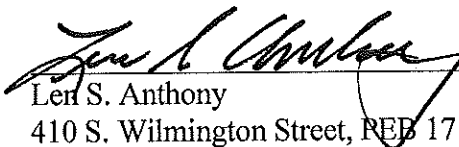
**MOTION FOR ADMISSION  
*PRO HAC VICE***

Progress Energy Carolinas, Inc. ("Progress Energy Carolinas" or the "Company") hereby moves the Public Service Commission of South Carolina (the "Commission") to permit Kendal C. Bowman to practice *pro hac vice* before the Commission in the above-captioned matter.

Pursuant to SCACR 404, Mrs. Bowman, together with counsel of record, is simultaneously filing a copy of the Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court. Attached is the original Verified Application.

WHEREFORE, as the provisions set forth in SCACR 404 have been satisfied, Progress Energy Carolinas requests that this motion be granted.

Dated this 21st day of October, 2011.

  
Len S. Anthony  
410 S. Wilmington Street, FEE 17  
P. O. Box 1551

Raleigh, NC 27601

Telephone: (919) 546-6367

[Len.S.Anthony@pgnmail.com](mailto:Len.S.Anthony@pgnmail.com)

Attorney for Progress Energy Carolinas, Inc.

OCT 24 2011  
PSC SC  
CLERK'S OFFICE

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

IN THE MATTER OF:

Docket No. 2011-158-E

Application of Duke Energy Corporation and  
Progress Energy, Inc. on Behalf of Their  
Electrical Utility Subsidiaries, Duke Energy  
Carolinas, LLC and Progress Energy Carolinas,  
Inc., to Engage in a Business Combination  
Transaction

Public Service Commission of South Carolina

Mailing Address:

101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Comes now, ***Kendal C. Bowman***, applicant herein, and respectfully represents the following:

1. Applicant resides *at 7633 Wilderness Road, Raleigh, Wake County, North Carolina, 27613; telephone number: (919) 846-1274.*
2. Applicant is an attorney and a member of the law department of *Progress Energy Service Company, LLC with offices at 410 South Wilmington Street, Raleigh, North Carolina 27602; telephone number: (919) 546-6794; fax number: (919) 546-2920.*
3. Applicant has been retained personally or as a member of the above named law department by *Progress Energy Service Company, LLC* to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.
4. Since *March 21, 1998*, applicant has been and presently is a member in good standing of the bar of the highest court of the State of *North Carolina*, where applicant regularly practices law. Attached is a certificate of good standing.
5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts, United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia).

**Court:**

**Date Admitted:**

**United States District Court for the Middle  
District of North Carolina**

**August 31, 1998**

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before).

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as

provided below (give particulars, e.g., jurisdiction, court, date):

**Not applicable**

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation);

**Not applicable**

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement);

**Not applicable**

9. Local counsel of record associated with applicant in this case is: *Len S. Anthony of Progress Energy Service Company, LLC legal department which has offices at 410 S. Wilmington Street, PEB 17, Raleigh, Wake County, North Carolina 27602; telephone number (919) 546-6367.*

If applicable list all other firms/attorneys you are associated with in this matter:

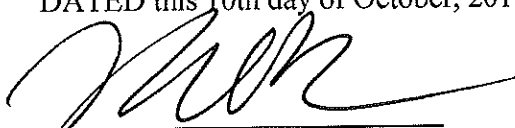
**Not applicable**

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

**Not applicable**

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize himself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.
12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 10th day of October, 2011.

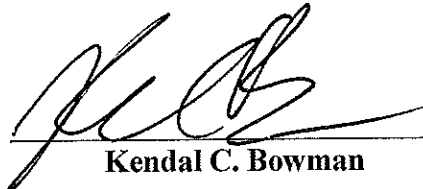
  
**Kendal C. Bowman**

# VERIFICATION

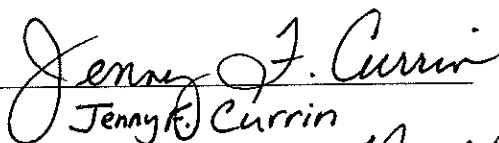
STATE OF North Carolina )

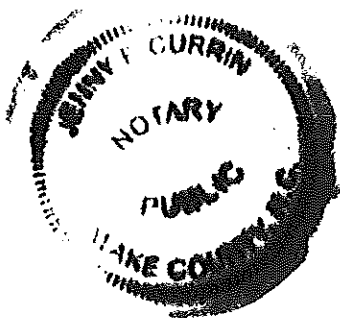
COUNTY OF Wake )

I, **Kendal C. Bowman**, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

  
Kendal C. Bowman

Subscribed and sworn to before me this 10th day of October, 2011


  
Jenny F. Currin  
Notary Public for the State of North Carolina  
My Commission Expires: 12-13-2015



## LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 10<sup>th</sup> day of October, 2011.

  
LOCAL COUNSEL OF RECORD  
Len S. Anthony

## CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, 1231 Gervais Street, Columbia, SC 29201, accompanied by payment of \$250 filing fee payable to the South Carolina Supreme Court on this 10th day of October, 2011.

  
APPLICANT/AFFIANT  
Len S. Anthony

RECEIVED  
2011 OCT 24 PM 4:30  
SOUTH CAROLINA  
SUPREME COURT  
OFFICE OF BAR ADMISSIONS

# Supreme Court OF THE STATE OF NORTH CAROLINA



I, Christie S. Cameron Roeder, Clerk of the Supreme Court of North Carolina, do hereby certify that on March 21, 1998, license to practice as an Attorney and Counselor at Law in all the Courts of this State was issued by the North Carolina Board of Law Examiners to

**KENDAL CROWDER BOWMAN**

according to the certified list of licentiates reported by the Secretary of said Board and filed in my office as required by statute.

To the date of this certificate, no order revoking said license has been filed with this Court and no order suspending same is in effect.

WITNESS my hand and the Seal of the Supreme Court of North Carolina at office in Raleigh, this September 30, 2011.

A handwritten signature in cursive script that reads "Christie S. Cameron Roeder".

Christie S. Cameron Roeder  
Clerk of the Supreme Court  
of the State of North Carolina

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2011-158-E**

RECEIVED  
2011 OCT 24 PM 9:31  
SC PUBLIC SERVICE  
COMMISSION

In Re: )  
)  
Application of Duke Energy Corporation )  
And Progress Energy, Inc. on behalf )  
Of Their Electrical Utility Subsidiaries, )  
Duke Energy Carolinas, LLC and )  
Progress Energy Carolinas, Inc, to )  
Engage in a Business Combination )  
Transaction )

**CERTIFICATE OF SERVICE**

I, Len S. Anthony, hereby certify that the **MOTION FOR ADMISSION *PRO HAC***  
***VICE* for Kendal C. Bowman** has been served on parties of record either by hand delivery, e-mail  
or placing a copy of same in the United States Mail, postage prepaid, addressed as follows:

Pablo O. Nuesch  
Spiegel & McDiarmid, LLP  
1333 New Hampshire Avenue, N.W.  
Washington, DC 20036

Peter J. Hopkins  
Spiegel & McDiarmid  
1333 New Hampshire Avenue, N.W.  
Washington, DC 20036

Michael K. Lavanga  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, N.W.  
Eighth Floor, West Tower  
Washington, DC 20007

Garrett A. Stone  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, N.W.  
Eighth Floor, West Tower  
Washington, DC 20007

James N. Horwood  
Department of Public Utilities  
City of Orangeburg  
Spiegel & McDiarmid, LLP  
1333 New Hampshire Avenue, N.W.  
Washington, DC 20036

Dr. Peters Wilborn, Jr.  
Derfner, Altman & Wilborn  
P. O. Box 600  
Charleston, SC 29402

Douglas Jennings, Jr.  
Douglas Jennings Law Firm, LLC  
P. O. Box 995  
Bennettsville, SC 29512

Kodwo Ghartey-Tagoe  
Vice President Legal, State Regulation  
Duke Energy Carolinas, LLC  
P. O. Box 1006 / EC03T  
Charlotte, NC 28201



Scott Elliott  
Elliott & Elliott, P.A.  
1508 Lady Street  
Columbia, SC 29201

Courtney D. Edwards  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

Frank R. Ellerbe, III  
Robinson, McFadden & Moore, P.C.  
P. O. Box 944  
Columbia, SC 29202

K. Chad Burgess  
South Carolina Electric & Gas Company  
MC C222  
220 Operation Way  
Cayce, SC 29033

J. Blanding Holman, IV  
Southern Environmental Law Center  
43 Broad Street, Suite 300  
Charleston, SC 29401

Michael N. Couick  
The Electric Cooperatives of SC, Inc.  
808 Knox Abbott Drive  
Cayce, SC 29033

Paul J. Conway  
Tiencken Law Firm, LLC  
234 Seven Farms Drive, Suite 114  
Charleston, SC 29492

Robert R. Smith, II  
Moore & Van Allen, PLLC  
100 North Tryon St., Suite 4700  
Charlotte, NC 28202

Nanette S. Edwards  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

Jonathan D. Newman  
Sherman, Dunn, Cohen, Leifer & Yellig, P.C.  
900 Seventh Street, N.W., Suite 1000  
Washington, DC 20001

Matthew W. Gissendanner  
South Carolina Electric & Gas Company  
MC C222  
220 Operation Way  
Cayce, SC 29033

Christopher R. Koon  
The Electric Cooperatives of SC, Inc.  
808 Knox Abbott Drive  
Cayce, SC 29033

John H. Tiencken  
Tiencken Law Firm, LLC  
234 Seven Farms Drive, Suite 114  
Charleston, SC 29492